

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

20-cr-163 (PKC)

-against-

ORDER

LOUIS GRASSO,

Defendant.

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CASTEL, U.S.D.J.

Defendant's letter of December 16, 2022 asserts that he "has recently developed a condition," specifically cysts on his hands that are "very painful," requiring hand surgery that is now "scheduled" for January 16. He seeks to adjourn his January 24, 2023 surrender date for thirty days to have the surgery, follow up "as well as a short time to recover. . . ."

Despite the December 16 claim of "recen[t]" development of cysts requiring surgery, the issue was raised at the time of the November 15 sentencing. This is not mentioned in the December 16 letter.

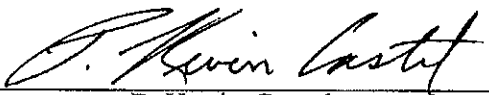
At sentencing, a somewhat different timeline was presented. Grasso claimed that he "actually put off [the hand surgery] because of the sentencing." (Nov. 15 Tr at 32.)¹ At sentencing, he asked for a deferred surrender date to "mid or late January" because the "hand surgery" had been "scheduled" for "early January." *Id.* Honoring the request, the Court set the surrender date as January 24 for which defendant expressed thanks. *Id.*

¹ Defendant was sentenced six months after his guilty plea, and it is not apparent why the prospect of incarceration would be a reason to defer needed surgery.

Defendant's medical condition was a principal basis for his request for a sentence of 18-months home confinement. The Court offered to have defendant sent to a BOP medical facility for evaluation of his various claimed conditions.² Defendant asked the Court not do so and the Court also honored that request.

The application to defer the surrender date is DENIED.

SO ORDERED.


P. Kevin Castel
United States District Judge

Dated: New York, New York
December 19, 2022

² Defendant furnished a medical record showing a listing of prescribed medications but was unable to obtain a letter from the office of the prescribing doctor explaining his conditions, despite a 7-week adjournment for that purpose.